



April 6, 2010

Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Preserving the Open Internet Broadband Industry Practices

GN DocketNo.09-191
WC Docket No.07-52

Dear Chairman Genachowski and Commissioners:

The Alliance for Digital Equality (ADE) appreciates the opportunity to submit reply comments regarding the open internet.

ADE, a non-profit organization registered in the state of Georgia, was established three years ago as an advocate for underserved and un-served communities that have not yet realized the full benefit of the information age revolution. Last year, ADE and the Communications Workers of America (CWA) formed a partnership that is based on our mutual belief that broadband is the bridge to the future in job creation and opportunity for working families across the country.

ADE seeks to educate consumers about the benefits of broadband as they relate to the delivery of e-related services including among others workforce development, healthcare and educational training modules to consumers at the grassroots level. Through our local Digital Empowerment Councils in major cities across America, we act as a bridge between Latinos, African Americans and other minorities, and also work to educate other underserved Americans and public policymakers on issues related to information technology.

We firmly believe that it is crucial to implement policies that will encourage growth, competition and job creation, particularly during these tough economic times. Also, that closing the digital divide via universal broadband must be achieved through private sector investments augmented with public sector capital, guarantees and a measured regulatory frame-work. Anything of the contrary could hinder the ability of underserved and un-served communities to enjoy the full benefits that the digital revolution promises to every American.

Our focus is to create conditions that will enable broadband to spread more rapidly to Americans, especially people of color, who have not yet been empowered with the benefits of 21st Century communications technology. Based on input gathered through our Digital Empowerment Councils, we are indeed concerned that some well-intentioned new net neutrality policies that are

currently being discussed might impede the adoption of broadband by many citizens who would benefit significantly from Internet connectivity.

In earlier filings with the Federal Communications Commission, we reminded the Commission that for some Americans, affordability is a significant barrier, especially during this historical economic downturn. In this regard, we are encouraged by recent data from the Pew Center that shows that even among lower-income Americans broadband adoption has continued to grow despite the current recession. However, we also note that lower income Americans are far more likely than the more affluent to cut back or eliminate broadband because of economic pressure. According to the Pew report, nine percent of Americans cancelled or cut Internet service over the past year because of economic challenges. But more than twice as many (17 %) households with incomes under \$20,000 reported that Internet service became a recession casualty in their household. Among those earning \$30-\$40,000, 16% percent of households say they had to cut or trim. This data indicates that families at the lower end of the income scale have but a tenuous hold on the broadband-way-of-life. As we have said on a number of occasions and shared in our earlier comments – policymakers must remain vigilant against forces, including proposed regulatory policies that may unintentionally make broadband less affordable, accessible and force the last to join the broadband generation to become the first that are forced to drop off.

Some Americans – primarily from minority and underserved communities – whose connection may be marginal at best, currently are more concerned with the cost of broadband access than with additional and untested principles that presume to protect the open internet. The FCC must remember that there are many Americans that cannot even afford to own a computer, let alone connect to the internet. And every effort should be made to make broadband access universal, easy to adopt, and affordable.

Because most Americans own cell phones, wireless broadband services may offer an effective route to broadband for those who do not own computers. In this regard, we are concerned about legislative initiatives that propose to eliminate network management practices that ensure traffic flows smoothly across wireless broadband networks. The FCC's non-discrimination principle would effectively prevent wireless providers from maintaining their networks and allowing for optimal usage. Imposing new regulations like non-discrimination on wireless providers, however well-intentioned, could significantly harm the one avenue that shows the most promise for the communities we represent who desire to connect to the broadband internet.

When considering its new principles, the Commission should review the possible impact of new laws and regulations on the millions of underserved and un-served Americans that might unintentionally raise barriers to adoption. Indeed, the Commission might consider requiring "a broadband impact" statement for proposed net neutrality principles. ADE believes the FCC



should gather and analyze relevant data, much like what was done with the National Broadband Plan, before enacting new net neutrality principles like non-discrimination.

We look forward to a continued dialogue with the FCC and encourage you to contact us should any questions arise.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Julius H. Hollis'.

Julius H. Hollis, Chairman
Alliance for Digital Equality